

**United States Department of Labor
Employees' Compensation Appeals Board**

J.R., Appellant

and

**DEPARTMENT OF THE NAVY, NAVAL
SUPPLY STATION, Oakland, CA, Employer**

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**Docket No. 20-1205
Issued: April 5, 2021**

Appearances:

Stephanie N. Leet, Esq., for the appellant¹

Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge

JANICE B. ASKIN, Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On May 14, 2020 appellant filed a timely appeal from a January 10, 2020 merit decision and an April 20, 2020 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 20-1224.

On May 27, 2020 appellant, through counsel, filed a second appeal from the same January 10, 2020 OWCP merit decision. The Clerk of the Appellate Boards inadvertently assigned Docket No. 20-1205.

The Board has duly considered the matter and concludes that, since there are now two docket numbers assigned for a review of the same OWCP decision, one of the docket numbers must be dismissed. Since the Clerk of the Appellate Boards inadvertently assigned Docket No.

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

20-1205 to appellant's second appeal request, this docket number shall be dismissed. The appeal docketed as No. 20-1224 will go forward. Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 20-1205 is dismissed.

Issued: April 5, 2021
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board